

DOUGLAS L. HENDRICKS (CA SBN 83611)
DHendricks@mofo.com
ELIZABETH O. GILL (CA SBN 218311)
EGill@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.7000
Facsimile: 415.268.7522

Attorneys for Defendant
IAC SEARCH & MEDIA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HOSTWAY CORPORATION, an Illinois
Corporation,,

Plaintiff,

v.

IAC SEARCH & MEDIA, INC., a Delaware
Corporation,

Defendant.

Case No. C 07-3759 JCS

**DECLARATION OF DOUGLAS
L. HENDRICKS IN SUPPORT OF
IAC SEARCH & MEDIA, INC.'S
ADMINISTRATIVE MOTION
PURSUANT TO CIVIL L.R. 79-5
TO FILE DOCUMENTS UNDER
SEAL**

Date: July 27, 2007
Time: 3:30 p.m.
Place: Courtroom A, 15th Floor
The Hon. Joseph C. Spero

Complaint filed: July 23, 2007

1 I, Douglas L. Hendricks, hereby declare and state as follows:

2 1. I am a member of the law firm of Morrison & Foerster LLP, counsel of record
3 herein for defendant IAC Search and Media, Inc. ("Ask"). I make this declaration on personal
4 knowledge, and if called as a witness, I could and would testify competently to the matters stated
5 in this declaration.

6 2. At 10:40 AM on Wednesday, July 25, 2007, I placed a call to C. Griffith Towle,
7 one of the attorneys for the plaintiff, to discuss Ask's request that the agreement attached to
8 plaintiff's complaint and to Mr. Merchant's declaration, as well as Mr. Ryaboy's declaration, be
9 placed under seal. Mr. Towle was not in, so I left a message on his voice mail containing this
10 request. Shortly thereafter, I also placed a call to Fredric Cohen, co-counsel for plaintiff.
11 Mr. Cohen did not answer, and I left a voice message asking him to call me back. As of the
12 signing of this declaration, neither has returned my call.

13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct.

15 Executed this 25th day of July, 2007, at New York, New York.

16
17 /s/ Douglas L. Hendricks
18 Douglas L. Hendricks
19
20
21
22
23
24
25
26
27
28